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Owen F. Duffy (OD-3144)
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PADRE SHIPPING, INC.,

Plaintiff,

07 CV 9682 (JFK)

v.

YONG HE SHIPPING, also known as,
YONG HE SHIPPING (HK) LIMITED;
PROSPER SHIPPING LIMITED;
SHANGHAI COSFAR SHIPPING
INTERNATIONAL CO. LTD.;
AEGEAN CARRIERS SA;
GOLDED TAI SHIPPING LIMITED;
SOUTH AEGEAN SHIPPING;
OLD EASTERN MEDITERRANEAN CO., SA;
CHANGSHU HOTHEART INTERNATIONAL
SHIPPING AGENCY;
TIANJIN PORTTRANS INTERNATIONAL
SHIPPING AGENCY CO., LTD. and,
LIANYUNGANG FAREAST INTERNATIONAL
SHIPPING,

Defendants.

**THIRD ATTORNEY'S
AFFIDAVIT THAT
DEFENDANTS CANNOT
BE FOUND WITHIN THE
DISTRICT**

-----X

STATE OF NEW YORK :
 : ss.
COUNTY OF NASSAU :

This affidavit is executed by the attorney for the Plaintiff, PADRE SHIPPING, INC., (hereinafter "PADRE"), in order to secure the issuance of a Summons and Process of Attachment and Garnishment in the above-entitled, *in personam*, Admiralty cause.

Owen F. Duffy, being first duly sworn, deposes and states:

1. I am a partner of the firm of Chalos, O'Connor & Duffy LLP representing Plaintiff, PADRE, in this case.

2. I have personally inquired or have directed inquiries into the presence of Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING in this District.

3. I have personally checked with the office of the Secretary of State of the State of New York, using the Secretary of State's Division of Corporations database, and I have determined that, as of January 4, 2008, the Defendants YONG HE SHIPPING,

also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and LIANYUNGANG FAREAST INTERNATIONAL SHIPPING are not incorporated pursuant to the laws of New York, are not qualified to conduct business within the State of New York and have not nominated agents for the service of process within New York because the Secretary of State of the State of New York has no records for the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING.

4. I have inquired of Verizon Telephone Company whether the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO.,

SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and LIANYUNGANG FAREAST INTERNATIONAL SHIPPING can be located within this District. The Verizon Telephone Company has advised me that the Defendants do not have any telephone number listings within this District.

5. I have further consulted with several other telephone directories on the internet, and I have found no telephone listing or address for the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING within this District.

6. I have further made several searches on the internet with various search engines and maritime websites, and I have found no indication that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN

PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and,
LIANYUNGANG FAREAST INTERNATIONAL SHIPPING can be found within this
District.

7. In that I have been able to determine that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING are not based in the United States of America and that I have found no indication that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING can be found within this District, I have formed a good faith belief that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI

SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING do not have sufficient contacts or business activities within this District to defeat maritime attachment under Rule B of the Supplemental Rules for Admiralty and Maritime Claims as set forth in the Federal Rules of Civil Procedure.

8. It is my belief, based upon my own investigation that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED, SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD., AEGEAN CARRIERS; GOLDED TAI SHIPPING LIMITED, SOUTH AEGEAN SHIPPING; OLD EASTERN MEDITERRANEAN CO., SA; CHANGSHU HOTHEART INTERNATIONAL SHIPPING AGENCY; TIANJIN PORTTRANS INTERNATIONAL SHIPPING AGENCY CO., LTD. and, LIANYUNGANG FAREAST INTERNATIONAL SHIPPING cannot be found within this District for the purposes of Rule B of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

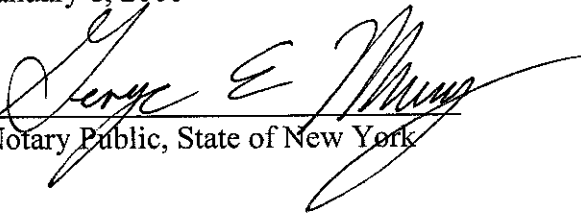
Dated: Port Washington, New York
January 4, 2008

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Plaintiff,
Padre Shipping, Inc.

By: 

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George E. Murray (GM-4172)
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Subscribed and sworn to before me this
January 8, 2008


Notary Public, State of New York

GEORGE E. MURRAY
Notary Public, State of New York
No. 02MU6108120
Qualified in New York County
Commission Expires April 12, 2008